

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

PATRICK RADER, #125202

PETITIONER

VERSUS

CIVIL ACTION NO. 5:09cv106-DCB-MTP

EDWARD HARGETT

RESPONDENT

ORDER

This cause is before this Court on petitioner's response [6] filed July 10, 2009, as directed by the order [3] entered June 29, 2009. In his response [6], the petitioner states that the proper respondent is Edward Hargett, Warden of Issaquena County Correctional Facility, Mayersville, Mississippi, where the petitioner is presently incarcerated.

Having further reviewed the response [6], this Court finds that the petitioner failed to respond to several of this Court's questions. Therefore, the petitioner will be given another opportunity to provide this Court with the requested information as well as additionally requested information. Accordingly, it is hereby,

ORDERED:

1. That the Clerk is directed to substitute Edward Hargett, Warden - Issaquena County Correctional Facility, as the respondent instead of Toby Trowbridge.
2. That the petitioner is directed to file a written response **on or before August 4, 2009**, to the following:

(a) state the result, *i.e.*, is it pending or was it decided, of the petition filed by the petitioner on June 26, 2008, in the Circuit Court of Warren County;

(b) state the case number assigned the petition filed by the petitioner on June 26, 2008, in the Circuit Court of Warren County;

(c) if the Circuit Court of Warren County decided the petition, state the decision of that court and provide a copy of the decision;

(d) if the petitioner did not agree with the decision of the Circuit Court of Warren County, state if he appealed that decision to the Mississippi Supreme Court;

(e) state the date and decision entered by the Mississippi Supreme Court or Mississippi Court of Appeals concerning the petitioner's appeal of the decision by the Circuit Court of Warren County;

(f) state if the petitioner was being held in the Madison County Jail from November 29, 2006 through June 20, 2007, on federal charges;

(g) state if the petitioner has filed any motions with the Circuit Court of Madison County concerning his claim that he should be credited with the time served in Madison County Jail;

(h) if the petitioner has filed a motion with the Circuit Court of Madison County, state the cause number of that action;

(i) state the result, *i.e.*, is it pending or was it decided, of the petition, motion or other document filed by the petitioner in the Circuit Court of Madison County relating to the time he was held in the Madison County Jail from November 29, 2006 through June 20, 2007;

(j) state the case number assigned the petition, motion or other document filed by the petitioner in the Circuit Court of Madison County relating to the time he was held in Madison County Jail from November 29, 2006, through June 20, 2007;

(k) if the Circuit Court of Madison County decided the petition, motion or other document state the decision of that court and provide a copy of the decision; and

(l) if the petitioner did not agree with the decision of the Circuit Court of Madison County, state if he appealed that decision to the Mississippi Supreme Court.

3. That the petitioner filed his written response with the Clerk, Western Division, P.O. Box 23552, Jackson, Mississippi 39225-3552.

4. That the petitioner is warned that failure to advise this Court of a change of address or failure to comply with any order of this Court will be deemed as a purposeful delay and contumacious act by the petitioner and may result in the dismissal of this case.

This the 20th day of July, 2009.

s/ Michael T. Parker
UNITED STATES MAGISTRATE JUDGE